IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 7812 OF 2005.

Umesh Ratubhai Desai & ors.....Petitioners.

V/s.

Pratap s/o Mahadev Vinayak
Indulkar & ors. ... Respondents.

Shri M.P. Vashi for the petitioners.

CORAM : V.C.DAGA, J.

DATED 23.11.2005.

P.C. :

. This petition is directed against the interim order dated 17.8.2005 passed by the lower appellate Court. This order can be challenged by the petitioner if the petitioner, ultimately suffers adverse judgment and order in appeal. In that view of the matter, I do not propose to entertain this petition at this stage. Accordingly, petition is dismissed in limine with no order as to costs, reserving right to challenge in favour of the petitioners, keeping all the contentions of the petitioners open for being challenged in the appeal arising out of the adverse judgment and order of the appellate Court, if ultimately, suffered by the petitioner.

(V.C. DAGA,J.)